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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

15 KATHLEEN HANNI, individually and on behalf of all others similarly situated,

Plaintiff,

VS.

18 AMERICAN AIRLINES, INC., and DOES 1
19 through 20, inclusive.

Defendants.

CASE NO. C08-00732 CW

**DECLARATION OF JIE-MING CHOU IN
SUPPORT OF DEFENDANT AMERICAN
AIRLINES, INC'S APPLICATION FOR
ORDER SHORTENING TIME AND TO
EXTEND HEARING DATE**

Local Rule 6-1(b)

22 I, Jie-Ming Chou, hereby declare:

23 1. I am a partner with the law firm of Cooper, White & Cooper LLP located at 201
24 California Street, 17th Floor, San Francisco, California 94111 and am counsel of record for
25 American Airlines, Inc. (“American”) in this action. I have personal knowledge of the matters set
26 forth in this declaration, except for those facts that are alleged on information and belief, and as to
27 those facts, I believe them to be true. I could and would testify competently thereto if called as a
28 witness.

1 2. On Wednesday, March 19, 2008, I telephoned plaintiff's counsel, David Ramos, to
2 request plaintiff's stipulation for American to file an Application for Order Shortening Time
3 ("Order") with respect to American's Motion for Leave to File an Amended Notice of Removal
4 ("Motion for Leave") filed with this Court on March 19, 2009 and currently set for a hearing on
5 April 24, 2008, but was unable to reach Mr. Ramos in person and therefore left a voicemail.

6 3. I called Mr. Ramos again on Thursday morning, March 20, 2008 and was
7 ultimately able to speak with Mr. Ramos at approximately 10:40 a.m. I asked if Mr. Ramos would
8 stipulate to an Order and explained the basis for American's request to have its Motion for Leave
9 heard on shortened time (as detailed in American's Order filed herewith). I proposed the
10 following shortened briefing and hearing schedule:

11 a. March 27, 2008 at 2:00 p.m. – hearing on American's Application for Order
12 Shortening Time;

13 b. March 24, 2008 – deadline for plaintiff to file opposition brief

c. March 25, 2008 – deadline for American to file reply brief

15 Mr. Ramos stated that he would call and confer with his co-counsel, Paul Hudson, right after he
16 got off the phone with me and get back to me with an answer.

17 4. When I had not heard back from Mr. Ramos by 4:00 p.m. on March 20, 2008, I
18 again called Mr. Ramos to ascertain if he would stipulate to the Order. I was informed by Mr.
19 Ramos secretary that he was occupied on another call and therefore left a message for Mr. Ramos.

20 5. Not having received a call back from Mr. Ramos by 5 p.m., I sent an email to Mr.
21 Ramos and asked that he let me know by 5:30 p.m. if he would stipulate to an Order. A true and
22 correct copy of my email to Mr. Ramos is attached hereto as Exhibit 1. Mr. Ramos has not
23 responded to my calls or email as of the time of the filing of this declaration and the Order.

24 6. Due to the timing requirements of Local Rule 6-3 and since I was unable to obtain
25 Mr. Ramos stipulation to the original shortened briefing and hearing schedule detailed above in
26 Paragraph 3, I hereby request that the Court set the following briefing and hearing schedule for the
27 Motion for Leave:

a. April 3, 2008 at 2:00 p.m. – hearing on American's Application for Order

1 Shortening Time;

2 b. March 27, 2008 – deadline for plaintiff to file opposition brief

3 c. April 1, 2008 – deadline for American to file reply brief

4 7. Plaintiff and American both currently have motions set for a hearing on April 24,

5 2008 – a Motion to Remand for plaintiff and a Motion to Dismiss for American. American

6 proposes to reset its Motion to Dismiss from April 24, 2008 to May 1, 2008 and requests that the

7 Court move plaintiff's Motion to Remand to be heard on May 1, 2008 as well, so that the Court

8 may rule on American's Order and Motion for Leave prior to the deadline for American to file its

9 opposition brief to the Motion to Remand, which would be on April 10, 2008 for a May 1, 2008

10 hearing. If the hearing on plaintiff's Motion to Remand stays on April 24, 2008, American will be

11 required to file its opposition brief on April 3, 2008 pursuant to Civil Local Rule 7-3. This would

12 be before this Court has the opportunity to rule on the American's Order and Motion for Leave.

13 8. Attached hereto as Exhibit 2 is a true and correct copy of the order issued by the

14 United States District Court for the Western District of Arkansas, Fayetteville Division, in the case

15 of *Ray v. American Airlines Inc.*, Case No. 08-5025, an identical class action filed against

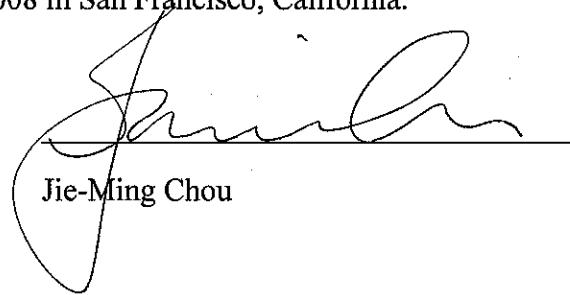
16 American by plaintiff's counsel, Paul Hudson, in which the Arkansas Western District Court

17 granted American's Motion for Leave to File an Amended Notice of Removal yesterday, March

18 19, 2008.

19 I declare under penalty of perjury that the foregoing is true and correct, and that this

20 declaration was executed on March 20, 2008 in San Francisco, California.



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Jie-Ming Chou

Exhibit 1

Jamie Chou

From: Jamie Chou
Sent: Thursday, March 20, 2008 5:03 PM
To: 'barram@i-cafe.net'
Cc: Stephen Kaus
Subject: Hanni v. American Airlines - Stipulation for Order Shortening Time

David,

I have not yet heard back from you with respect to my request for your stipulation to an Order Shortening Time on American Airlines' Motion for Leave to File an Amended Notice of Removal. I called to follow up with you about an hour ago, but your secretary stated you were on another call, so I left a message with her. If I do not hear back from you by 5:30 p.m. I will have to proceed with filing an Application for Order Shortening Time with the Court.

Without your stipulation to the timing I proposed earlier (hearing on Motion for Leave on 3/27, opposition brief due on 3/24 and reply brief due on 3/25), American Airlines proposes to move the hearing on its Motion to Dismiss to May 1, 2008 and I will be asking the Court to move your Motion to Remand to May 1, 2008 as well so as to accommodate the timing parameters set forth in the local rules with respect to requests to shorten time (Rules 6-1 to 6-3) and briefing deadlines on the motions to remand and dismiss (Rules 7-2 and 7-3). I will be asking the Court to set the Motion for Leave for hearing on April 3, 2008 with opposition brief due on March 27, 2008 and reply brief due on April 1, 2008.

If you could please let me know before 5:30 if you willing to stipulate to my initial proposed or to my revised proposal above.

Regards,
Jamie

Jamie Chou, Esq.
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Exhibit 2

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

CATHERINE RAY, on behalf of
herself and all others
similarly situated,

PLAINTIFF

v.

CIVIL NO. 08-5025

AMERICAN AIRLINES, INC.

DEFENDANT

ORDER

Now on this 19th day of March, 2008, there comes on for consideration Defendant's Motion for Leave to File Amended Notice of Removal (Doc. 19). The Court, being well and sufficiently advised in the premises, finds that Defendant's Motion should be and hereby is GRANTED. Accordingly, the Amended Notice of Removal filed on March 17, 2008, is deemed timely filed.

IT IS SO ORDERED this 19th day of March, 2008.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge